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VIA ECF

March 28, 2023

Hon. Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Sow et al. v. City Of New York et al.*
Index No. 21-cv-00533 (CM)(GWG)

In re: New York City Policing During Summer 2020 Demonstrations
Index No. 20-cv-8924 (CM) (GWG)

Your Honor:

We are counsel to the *Sow* plaintiffs. We write to request a one-month extension of time to file our class certification motion. The City takes no position on this application for an extension. We write with some reluctance given Your Honors admonition at Dkt. 849. However, we do believe this extension is warranted for the reasons set forth below. Additionally, we respectfully request that an extra 15 pages be added to our page limit for the class certification motion. The City consents to this request for extra pages.

The reason for this request is multi-faceted. First, we have engaged SITU,¹ which is an organization that assists litigants in processing large amounts of visual data, such as that which is present in this case. Prior to Dkt. 849, we understood that information being assembled by SITU in support of the *Sow* Plaintiff's motion for class certification motion would be processed in enough time to be incorporated productively into our application for class certification. While they have adapted to the expedited timetable and have been delivering their work to us at a breakneck speed, our ability to effectively process this information into a form which would be most useful to the Court would greatly benefit from an additional one month. Further, the work

¹ <https://situ.nyc/research/profile>

BELDOCK LEVINE & HOFFMAN LLP

Hon. Colleen McMahon
 March 28, 2023
 Page 2

obligations that this office has committed to in this case, and others, would greatly benefit from a slight modification of the class certification schedule.

Finally, and perhaps more importantly, the Sow team and the City are in serious settlement discussions to resolve the monetary class claims. Both parties are proceeding in good faith and are continuing to work towards reaching an agreement.

Accordingly, the Sow plaintiffs propose an alteration of the current scheduling order which accommodates the current request.

	<u>Current Date:</u>	<u>Proposed Date:</u>
Class certification motions	March 31, 2023	April 30, 2023
Response from the City	May 10, 2023	June 9, 2023
Reply to City's response	May 31, 2023	June 30, 2023

We thank the Court for its consideration of this matter.

Respectfully submitted,

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BELDOCK LEVINE & HOFFMAN LLP

Hon. Colleen McMahon
March 28, 2023
Page 3

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